

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>MARLO CHRISTY MUSSELMAN,</b>	)	CASE NO. 1:21-CV-00769-CEF
	)	
Plaintiff,	)	JUDGE CHARLES E. FLEMING
	)	
vs.	)	MAGISTRATE JUDGE
	)	JONATHAN D. GREENBERG
<b>COMMISSIONER OF SOCIAL SECURITY,</b>	)	
	)	<b>OPINION AND ORDER ADOPTING</b>
	)	<b>MAGISTRATE’S REPORT AND</b>
Defendants.	)	<b>RECOMMENDATION</b>

On April 12, 2021, Plaintiff Marlo Christy Musselman filed a Complaint seeking judicial review of Defendant Commissioner of Social Security’s decision to deny her social security disability benefits, widow’s benefits, and supplemental security income applications (Doc. 1). On April 14, 2022, Magistrate Judge Jonathan D. Greenberg recommended that the Court REVERSE the Commissioner’s final decision and REMAND this matter for further proceedings (Doc. 18).

Fed. R. Civ. P. 72(b)(2) provides that the parties may object to a report and recommendation within fourteen (14) days after service. On April 28, 2022, the Government filed a Response (Doc. 19), indicating that it will not object to the Magistrate Judge’s Report and Recommended Decision. No objection has been filed by Plaintiff.

Under the Federal Magistrates Act, a district court must conduct a *de novo* review of those portions of the Report and Recommendation to which the parties have objected. 28 U.S.C. § 636(b)(1)(C); Fed. R. Civ. P. 72(b)(3). Absent objection, a district court may adopt a Report and Recommendation without further review.

Accordingly, the Court **ADOPTS** Magistrate Judge Greenberg's Report and Recommendation, incorporating it fully herein by reference, **REVERSES** the Commissioner's final decision, and **REMANDS** this case to the Administrative Law Judge for further proceedings.

**IT IS SO ORDERED.**

Date: May 2, 2022



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**CHARLES E. FLEMING**  
**UNITED STATES DISTRICT JUDGE**